

**Proposed Substitute
Bill No. 5495**

LCO No. 3475

**AN ACT CONCERNING ENHANCED PENALTIES FOR THREATENING
A JUDGE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-61aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2016*):

3 (a) A person is guilty of threatening in the first degree when such
4 person (1) (A) threatens to commit any crime involving the use of a
5 hazardous substance with the intent to terrorize another person, to
6 cause evacuation of a building, place of assembly or facility of public
7 transportation or otherwise to cause serious public inconvenience, or
8 (B) threatens to commit such crime in reckless disregard of the risk of
9 causing such terror, evacuation or inconvenience; (2) (A) threatens to
10 commit any crime of violence with the intent to cause evacuation of a
11 building, place of assembly or facility of public transportation or
12 otherwise to cause serious public inconvenience, or (B) threatens to
13 commit such crime in reckless disregard of the risk of causing such
14 evacuation or inconvenience; [or] (3) commits threatening in the
15 second degree as provided in section 53a-62, as amended by this act,
16 and in the commission of such offense [he] such person uses or is
17 armed with and threatens the use of or displays or represents by [his]
18 such person's words or conduct that [he] such person possesses a
19 pistol, revolver, shotgun, rifle, machine gun or other firearm; or (4)

20 violates subdivision (1) or (3) of this subsection and the person being
21 threatened is a family support magistrate, family support magistrate
22 referee or a judge of any court, either elected or appointed, and the
23 threat is related to the magistrate's, referee's or judge's official duties.
24 No person shall be found guilty of threatening in the first degree under
25 subdivision (3) of this subsection and threatening in the second degree
26 upon the same transaction but such person may be charged and
27 prosecuted for both such offenses upon the same information.

28 (b) For the purposes of this section, "hazardous substance" means
29 any physical, chemical, biological or radiological substance or matter
30 which, because of its quantity, concentration or physical, chemical or
31 infectious characteristics, may cause or significantly contribute to an
32 increase in mortality or an increase in serious irreversible or
33 incapacitating reversible illness, or pose a substantial present or
34 potential hazard to human health.

35 (c) Threatening in the first degree is a class D felony, except that a
36 violation of subdivision (4) of subsection (a) is a class C felony.

37 Sec. 2. Section 53a-62 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2016*):

39 (a) A person is guilty of threatening in the second degree when: (1)
40 By physical threat, such person intentionally places or attempts to
41 place another person in fear of imminent serious physical injury, (2)
42 (A) such person threatens to commit any crime of violence with the
43 intent to terrorize another person, or [(3)] (B) such person threatens to
44 commit such crime of violence in reckless disregard of the risk of
45 causing such terror, or (3) such person violates subdivision (1) or (2) of
46 this subsection and the person being threatened is a family support
47 magistrate, family support magistrate referee or a judge of any court,
48 either elected or appointed, and the threat is related to the magistrate's,
49 referee's or judge's official duties.

50 (b) Threatening in the second degree is a class A misdemeanor,
51 except that a violation of subdivision (3) of subsection (a) of this

52 section is a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	53a-61aa
Sec. 2	<i>October 1, 2016</i>	53a-62